

FILED
JAMES BONINI
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2004 MAY 20 PM 3:05

Audley Casanova
#18131-057
FCI Jesup, Unit-EB
2680 HWY 301 South
Jesup, Georgia 31599
(Pro se Plaintiff)

U.S. DISTRICT COURT
SOUTHERN DIST OHIO
WEST DIV CINCINNATI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

AUDLEY CASANOVA,	:	
	:	
PLAINTIFF,	:	
	:	
VS.	:	CASE NO. 1:00-CV-579
	:	
PAUL BYERS,	:	
	:	
DEFENDANT.	:	PLAINTIFF'S RESPONSE TO
	:	DEFICIENCY ORDER
_____	:	

NOW COMES, the Plaintiff/Appellant, Audley Casanova, pro se, in the above styled cause and respectfully submits his formal response to this Court deficiency order, and states:

1. This came before this Court upon Casanova's petition for relief from judgment pursuant to FRCVP-60(b). This Court entered a order denying such. Casanova thereafter filed a timely notice to appeal.

2. Casanova now contents that the PLRA does not apply to the instant case, because he is appealing the denial of habeas relief under FRCVP_60(b). Therefore, no docketing and filing fess are required.

WHEREFORE, for all of the foregoing reasons, Casanova's action should proceed without cost.

Dated: May 14, 2004

Respectfully Submitted,

/s/ *Audley Casanova*
Audley Casanova

CERTIFICATE OF SERVICE

I, hereby certify that a true and exact copy of the foregoing was served on the defendant at 310 Ezzard Charles Drive, Cincinnati, Ohio 45214, On May 14, 2004, with proper postage affixed.

/s/ *Audley Casanova*
Audley Casanova